GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines & Minerals - Regulation of sand mining in the State - Amendment to Andhra Pradesh Minor Mineral Concession rules, 1966 to allow sand excavation and transportation by bullock carts 1st to 5th and above order streams free of cost - Orders - Issued.

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INDUSTRIES & COMMERCE (MINES-III) DEPARTMENT

G.O.MS.No. 31 Dated: 09-06-2020.

Read the following:

1. G.O.Ms.No. 1172, Ind.& Com. Dept, Dt: 04.09.1967.
2. G.O.Ms.No.70, I.I.I & C (M.II) Dept, Dt:04.09.2019.
3. G.O.Ms.No.71, I.I.I & C (M.II) Dept, Dt:04.09.2019.
4. Memo No.INC01-MG0POLI/18/2019, Dated 23.10.2019.
5. From the DM&G, e-File.No.INC04-26024/15/2020-JD-DMG, Computer No: 1158603.

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O R D E R:-

In the G.O. 2nd read above, Government has introduced a New Sand Policy 2019 with effect from 4th September 2019.

2. In the G.O. 3rd read above, Government has issued orders amending the Rule 9-B of Andhra Pradesh Minor Mineral Concession Rules, 1966.

3. Article 39 (B) of Directive Principles of State Policy, states that the natural resources of the community have to be distributed so as to subserve the common goods. Natural resources are legally owned by the State on behalf of the people and the State is under an obligation to ensure equitable, sustainable and affordable distribution of natural resources among the community Under Section 15 of the Mines & Minerals (Development and Regulation) Act, 1957. The State Government is empowered to make rules in respect of minor minerals.

4. The Government of Andhra Pradesh vide its memo 4th read above, issued further instructions for excavation and transportation of sand from the 1st to 3rd order streams to be governed as per Rule 23(a) of WALTA Rules'2004 and that the transportation shall be for local use by means of Bullock carts/Tractors within the District concerned.

5. As Sand is created by slow geological processes and it is not evenly distributed, the State intends to regulate its extraction and consumption in a scientific manner by prescribing operational guidelines to M/s APMDC Ltd. and District Collectors which shall be scrupulously implemented. In the greater public interest, the Government intends to have various checks and balances to ensure sustainability, affordability and availability of Sand to the public.

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6. Government, after careful examination of the proposal submitted by the Director of Mines and Geology, Andhra Pradesh in the reference 5th read above, the Government has decided to make amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966.

7. Accordingly, the following Notification shall be published in an Extra-Ordinary Gazette of the Andhra Pradesh, Dt.09.06.2020.

NOTIFICATION

8. In exercise of the powers conferred under sections 15 (1) & 15 (1A), 21 (2), 22, 23 and 23(c) of Mines and Minerals (Development & Regulation) Act, 1957 (Central Act 67 of 1957), as amended from time to time, the Government hereby makes the following amendments to Rule 9-B of Andhra Pradesh Minor Mineral Concession Rules, 1966 issued in G.O.Ms.No. 1172, Industries (B-1), 4th September, 1967 as subsequently amended.

AMENDMENTS

In the said Rules:-

i. In rule 9 (B), in sub-rule (1) in item (C), after sub-item (iii) the fallowing sub-item (iii a) shall be inserted namely,-

'' (iii a) To allow the bullock carts and load the sand for self-consumption within the village/village(s) within a radius of 5 kms abutting the IV, V & Higher order streams in addition to the 1st to 3rd order streams at free of cost, as per the quantity permitted by the Village/Ward Secretariat concerned.

Sand excavation for self-consumption being transported by Bullock Carts has to be done in accordance with all the rules, regulations and guidelines for excavation prescribed and from the specified areas as decided by the District Administration.

Provided that if any stock of sand beyond reasonable requirement is stocked/ hoarded/ black marketed/ sold/ used for commercial purpose, it shall be seized by the officer duly authorized and further, penalty will be levied as prescribed.

ii. in sub-rule 16, after item (a) the following sub-item (aa) shall be inserted namely,-

(aa) In the case of bullock carts engaged in illegal/ un-authorized hoarding and selling, the penalty besides seizer of the sand shall be levied as follows:-

Vehicle Type	First time (In Rs.)	Second time (In Rs.)
Bullock cart	2,000/-	3,000/-

Contd…3..

For repeated offence, a penalty of Rs. 5,000/- shall be levied.

The seized sand will be disposed by the APMDC as per the procedure in vogue.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVT (MINES) (FAC)

To
All the District Collectors in the State of A.P.
The Director of Mines & Geology, A.P, Ibrahimpatnam.
The VC & MD, M/s APMDC Ltd., Kanuru, Vijayawada.
The Commissioner Printing, Stationery & Purchase, Govt. Press, Vijayawada
(with a request to publish the notification in an extraordinary gazette and send 100 copies to Govt. for record.
Copy to:
All the District Treasury Officers in the State of A.P.
The Director, Treasuries & Accounts, A.P., Vijayawada.
The Pay and Accounts Officer, Vijayawada.
The Accountant General of Andhra Pradesh, Vijayawada.
The P.S. to Hon'ble Deputy Chief Minister for Revenue.
The P.S. to Hon'ble Minister for PR & RD and Mines & Geology.
The P.S. to Hon'ble Minister for Water Resources (Irrigation).
The P.S. to Hon'ble Minister for Finance & Planning.
The P.S. to Hon'ble Minister for Home.
The P.S. to Hon'ble Minister for Housing.
The P.S. to Prl. Secretary to Govt. (Mines).
The Law (H) Department.
The Finance (FMU-REV-I&C) Department.
Sf/Sc (File No. INC04-26024/15/2020-JD-DMG (Comp. No. 1158603)

//FORWARDED :: BY ORDER//

SECTION OFFICER